



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JUL 14 2003

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No. 7001 0320 0004 5578 8057

Mr. Robert Siegel, Esq.
Compass Environmental, Inc.
954 W. Washington Boulevard, 4th Floor
Chicago, IL 60607

Dear Mr. Siegel:

RE: AK Steel Facility
Kansas City, MO
EPA ID No. MOD 007 118 029

This letter is intended to clarify the U. S. Environmental Protection Agency's (EPA's) intentions regarding the a portion of the property (see attached legal description) owned by Compass Big Blue, L.L.C., which is under the Resource Conservation and Recovery Act (RCRA) Post-Closure Permit held by AK Steel Corporation. For reasons stated below, the EPA does not contemplate any additional RCRA corrective action at this portion of the property.

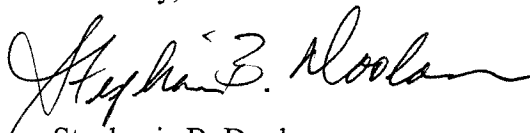
- The RCRA Facility Investigation Report (Burns & McDonnell 1999) describes the area as primarily covered with up to 14 feet of slag which was tested and not found to contain metals at levels of concern; and
- There are no Solid Waste Management Units or Areas of Concern on this portion of the property.

Further, the current permittee, the AK Steel Corporation, is responsible for compliance with the EPA's corrective action and post-closure care requirements. In the future, should information become available or should there be a change in site conditions that indicate that there was/is a release of hazardous constituents to the environment which may pose a threat to human health and the environment, the permittee, AK Steel Corporation, remains responsible for RCRA corrective action and post-closure care. Any current owner of the site may not interfere with such corrective action and post-closure care action, should it be required; and any future owner whose activities cause releases of hazardous constituents may be potentially responsible for those releases.

Additionally, because the site is being addressed under the RCRA permit authorities, EPA does not anticipate imposing cleanup obligations on potential future owners under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), which was established to clean up hazardous waste sites. However, should AK Steel Corporation fail to fulfill its RCRA permit obligations, potential future owners can exempt themselves from CERCLA cleanup liability as a Bona Fide Prospective Purchaser ("BFPP") pursuant to CERCLA § 101(40). Among other requirements, a BFPP must prior to purchase undertake "all appropriate inquiry" which currently consists of conducting a Phase I environmental assessment; and after purchase "exercise appropriate care", which for this site, as described in the previous paragraph, consists of not interfering with the RCRA corrective action a post-closure care action, and not causing releases of hazardous constituents at the site.

If you have any questions, please call me at (913) 551-7719.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephanie B. Doolan", with a stylized, flowing script.

Stephanie B. Doolan
Project Manager
RCRA Corrective Action & Permits

Enclosures

cc: Julie Pearson, MDNR

AGS PARCEL DESCRIPTION:

DESCRIPTION: PART OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 50, RANGE 33, AND PART OF THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 50, RANGE 32, IN KANSAS CITY, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 36, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE KANSAS CITY TERMINAL RAILROAD, AS NOW ESTABLISHED; THENCE NORTH 87 DEGREES 20 MINUTES 54 SECONDS WEST, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 36, AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 213.26 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE KANSAS CITY SOUTHERN RAILROAD, AS NOW ESTABLISHED; THENCE NORTH 25 DEGREES 58 MINUTES 41 SECONDS WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 382.73 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING NORTH 25 DEGREES 58 MINUTES 41 SECONDS WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 695.60 FEET TO THE SOUTHERLY LINE OF A TRACT OF LAND CONDEMNED IN SUITE NO. 241872, KANSAS CITY, MISSOURI ORDINANCE NO. 52766, DATED APRIL 5, 1926; THENCE NORTH 64 DEGREES 02 MINUTES 06 SECONDS EAST, DEPARTING SAID RIGHT OF WAY LINE, ALONG THE SOUTHERLY LINE OF SAID TRACT, A DISTANCE OF 66.19 FEET; THENCE NORTH 25 DEGREES 57 MINUTES 54 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID TRACT, A DISTANCE OF 66.00 FEET; THENCE SOUTH 64 DEGREES 02 MINUTES 05 SECONDS WEST, A DISTANCE OF 66.00 FEET, TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SAID RAILROAD, THENCE NORTH 25 DEGREES 57 MINUTES 54 SECONDS WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 50.46 FEET TO A POINT ON THE SOUTHEASTERLY EDGE OF WATER OF THE BIG BLUE RIVER, AS SHOWN BY AERIAL PHOTOGRAPHY BY M. J. HARDEN DATED APRIL 1, 1994; THENCE NORTH 47 DEGREES 41 MINUTES 55 SECONDS EAST, DEPARTING THE EASTERLY LINE OF SAID KANSAS CITY SOUTHERN RAILROAD, AND ALONG SAID SOUTHEASTERLY WATERS EDGE OF THE BIG BLUE RIVER, A DISTANCE OF 96.86 FEET; THENCE SOUTH 81 DEGREES 37 MINUTES 51 SECONDS EAST, DEPARTING SAID SOUTHEASTERLY WATERS EDGE, A DISTANCE OF 722.01 FEET; THENCE SOUTH 8 DEGREES 33 MINUTES 04 SECONDS WEST, A DISTANCE OF 334.48 FEET; THENCE SOUTH 8 DEGREES 19 MINUTES 10 SECONDS WEST, A DISTANCE OF 410.75 FEET; THENCE NORTH 81 DEGREES 40 MINUTES 50 SECONDS WEST, A DISTANCE OF 324.71 FEET TO THE POINT IF BEGINNING.

RAILROAD SPUR TRACK EASEMENT:

DESCRIPTION: A STRIP OF LAND 17.00 FEET IN WIDTH, IN THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 50, RANGE 33, IN KANSAS CITY, JACKSON COUNTY, MISSOURI, LYING 8.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF THE KANSAS CITY TERMINAL RAILROAD; THENCE NORTH 87°-20'-54" WEST, ALONG THE SOUTH LINE OF SAID 1/4 SECTION AND SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 142.26 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE TO BE HEREIN DESCRIBED; THENCE NORTHERLY ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 59°-34'-36" WEST, A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF 35°-17'-29", AN ARC DISTANCE OF 147.82 FEET; THENCE NORTH 24°-59'-02" WEST, A DISTANCE OF 258.59 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE.

THE NORTHERLY OUTSIDE LIMITS OF THIS EASEMENT SHALL BE LENGTHENED OR SHORTENED TO MEET THE SOUTH LINE OF THE LEASE TRACT TO AMERICAN GRINDING SYSTEMS- THE SOUTHERLY OUTSIDE LIMITS OF THIS EASEMENT SHALL BE LENGTHENED OR SHORTENED TO MEET THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 36.

POWER LINE EASEMENT:

DESCRIPTION: A STRIP OF LAND 10.00 FEET IN WIDTH, IN THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 50, RANGE 33 AND THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 50, RANGE 32, IN KANSAS CITY, JACKSON COUNTY, MISSOURI, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE SOUTHWEST CORNER THE NORTHWEST 1/4 OF SAID SECTION 31; THENCE NORTH 1°-54'-49" EAST, ALONG THE WEST LINE OF SAID 1/4 SECTION, A DISTANCE OF 290.80 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE TO BE HEREIN DESCRIBED; SAID POINT HEREINAFTER BEING REFERRED TO AS POINT "A"; THENCE NORTH 78°-40'-37" WEST, A DISTANCE OF 303.73 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE. EXCEPT THAT PART OF THIS EASEMENT WITHIN THE EXISTING BUILDING. ALSO BEGINNING AT THE AFORESAID POINT "A"; THENCE SOUTH 78°-40'-37" EAST, A DISTANCE OF 123.49 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "B"; THENCE SOUTH 81°-26'-59" EAST, A DISTANCE OF 28.00 FEET; THENCE SOUTH 83°-15'-56" EAST, A DISTANCE OF 258.34 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE, AT AN EXISTING POWER POLE.

ALSO A TRACT OF LAND IN THE NORTHWEST 1/4 OF SAID SECTION 31, DESCRIBED AS FOLLOWS; BEGINNING AT THE AFORESAID POINT "B"; THENCE SOUTH 81°-26'-59" EAST, A DISTANCE OF 28.00 FEET; THENCE SOUTH 8°-33'-01" WEST, A DISTANCE OF 14.87 FEET; THENCE NORTH 81°-27'-06" WEST, A DISTANCE OF 28.00 FEET; THENCE NORTH 8°-32'-52" EAST, A DISTANCE OF 14.88 FEET TO THE POINT OF BEGINNING. CONTAINING 416 SQUARE FEET OR 0.009 ACRES MORE OR LESS.

ACCESS EASEMENT:

DESCRIPTION: A STRIP OF LAND 25.00 FEET IN WIDTH IN THE EAST 1/2 OF SECTION 36, TOWNSHIP 50, RANGE 33, AND THE WEST 1/2 OF SECTION 31, TOWNSHIP 50, RANGE 32, IN KANSAS CITY, JACKSON COUNTY, MISSOURI, LYING 12.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 36, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF THE KANSAS CITY TERMINAL RAILROAD; THENCE NORTH 87°-20'-54" WEST, ALONG THE SOUTH LINE OF SAID 1/4 SECTION, AND SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 153.60 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE TO BE HEREIN DESCRIBED; SAID POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 30°-56'-37" WEST, A RADIUS OF 2400.00 FEET AND A CENTRAL ANGLE OF 9°-01'-28", AN ARC DISTANCE OF 378.00 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE:

THE NORTHERLY OUTSIDE LIMITS OF THIS EASEMENT SHALL BE LENGTHENED OR SHORTENED TO MEET THE SOUTH LINE OF THE LEASE TRACT TO AMERICAN GRINDING SYSTEMS-THE SOUTHERLY OUTSIDE LIMITS OF THIS EASEMENT SHALL BE LENGTHENED OR SHORTENED TO MEET THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 36.

ALSO BEGINNING AT THE AFORESAID POINT "A"; THENCE SOUTH 30°-56'-37" EAST, A DISTANCE OF 157.83 FEET; THENCE SOUTH 46°-17'-18" EAST, A DISTANCE OF 95.53 FEET; THENCE SOUTH 30°-07'-58" EAST, A DISTANCE OF 37.38 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 33°-51'-37" EAST, A RADIUS OF 245.59 FEET AND A CENTRAL ANGLE OF 78°-09'-48", AN ARC DISTANCE OF 335.04 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "B"; THENCE NORTH 68°-07'-29" EAST, A DISTANCE OF 572.00 FEET; THENCE NORTH 72°-18'-25" EAST, A DISTANCE OF 717.40 FEET; THENCE NORTH 70°-32'-08" EAST, A DISTANCE OF 733.36 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 74°-58'-53" EAST, A RADIUS OF 295.72 FEET AND A CENTRAL ANGLE OF 72°-57'-46", AN ARC DISTANCE OF 376.58 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 32°-03'-21" EAST, A RADIUS OF 259.19 FEET AND A CENTRAL ANGLE OF 55°-52'-49", AN ARC DISTANCE OF 253.42 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 23°-38'-55" WEST, A RADIUS OF 652.09 FEET AND A CENTRAL ANGLE OF 22°-04'-28", AN ARC DISTANCE OF 251.23 FEET; THENCE SOUTH 2°-42'-30" WEST, A DISTANCE OF 214.49 FEET; THENCE SOUTH 22°-23'-51" WEST, A DISTANCE OF 277.23 FEET TO A POINT

ON THE NORTH RIGHT OF WAY LINE OF WILSON ROAD, AS NOW
ESTABLISHED AND THE POINT OF TERMINATION OF SAID CENTERLINE:

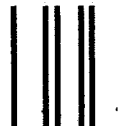
THE NORTHERLY OUTSIDE LIMITS OF THIS EASEMENT SHALL BE
LENGTHENED OR SHORTENED TO MEET THE SOUTH LINE OF THE
NORTHEAST 1/4 OF SAID SECTION 36. THE SOUTHERLY OUTSIDE LIMITS OF
THIS EASEMENT SHALL LENGTHENED OR SHORTENED TO MEET THE
NORTH RIGHT OF WAY LINE OF SAID WILSON ROAD.

ALSO BEGINNING AT THE AFORESAID POINT "B"; THENCE SOUTH $68^{\circ}-07'-29''$
WEST, A DISTANCE OF 97.20 FEET; THENCE ALONG A CURVE TO THE LEFT,
HAVING AN INITIAL TANGENT BEARING OF SOUTH $61^{\circ}-40'-11''$ WEST, A
RADIUS OF 165.17 FEET AND A CENTRAL ANGLE OF $84^{\circ}-55'-59''$, AN ARC
DISTANCE OF 244.84 FEET TO A POINT HEREINAFTER REFERRED TO AS
POINT "C"; THENCE SOUTH $20^{\circ}-20'-42''$ EAST, A DISTANCE OF 232.91 FEET;
THENCE SOUTH $27^{\circ}-13'-10''$ EAST, A DISTANCE OF 305.09 FEET; THENCE
SOUTH $18^{\circ}-31'-48''$ EAST, A DISTANCE OF 184.65 FEET TO AN EXISTING GATE
AND THE TERMINATION OF SAID CENTERLINE.

ALSO BEGINNING AT THE AFORESAID POINT "C"; THENCE NORTH $21^{\circ}-29'-$
 $38''$ WEST, A DISTANCE OF 362.14 FEET TO THE TERMINATION OF SAID
CENTERLINE.

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JUL 23 2003

RCAP

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EPA - Region 7
Attn: Carol Stotts - ARTD/RCAP - 3128B
901 N. 5th St
Kansas City, KS 66101

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Compass

33



Certified Mail Provides:

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- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

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PS Form 3800, January 2001 (Reverse)

102595-01-M-104

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Attach this card to the back of the mailpiece or on the front if space permits.

1. Article Addressed to:

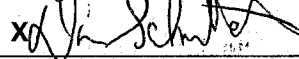
Mr. Robert Siegel, Esq.
Compass Environmental, Inc.
954 W. Washington Boulevard, 4th Floor
Chicago, IL 60607

2. Article Number
(Transfer from service label)

7001 0320 0004 5578 8057

COMPLETE THIS SECTION ON DELIVERY

A. Signature



- ☐ Agent
- ☐ Address

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?

☐ YesIf YES, enter delivery address below: ☐ No

JUL 17 2001

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- ☐ Registered ☐ Return Receipt for Merchandise
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4. Restricted Delivery? (Extra Fee)

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-2